

Appl. No. : 10/540,319
Filed : June 21, 2005

REMARKS

In response to the final Office Action dated June 9, 2009, Applicant files a Request for Continued Examination (RCE) along with this paper. As set forth above, Applicant has cancelled all the previously pending claims without prejudice, and added new Claims 17-29. No new matter is added by the amendments as discussed below. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the above amendments and the following remarks.

Discussion of Amendments

Claims 17-29 are supported by the original application. For example, Figures 3 and 5 and their associated discussion in the specification provide proper support for the new language. As such, no new matter is added by the foregoing amendments

Foreign Priority Claim and Submission of Priority Document

Applicant has noticed that the claim for foreign priority under 35 U.S.C. § 119 is not acknowledged on the summary page of the Office Action. On the other hand, Applicant notes that Publication No. US2006/0084868 of this application indicates the foreign priority claim to Korean Patent Application No. 10-2003-0003218. Applicant assumes that all requirements for foreign priority claim were made properly. Accordingly, Applicant respectfully requests that acknowledgement of the priority claim and the receipt of the priority document be made in the next Office Action or communication.

All Rejections Now Moot

In view of the cancellation of the previously pending claims, all the rejections made in the June 9, 2009 Office Action are moot.

Patentability of New Claims

Applicant would like to discuss patentability of new Claims 17-29 over the references relied on in the Office Action, U.S. Patent Application Publication No. 2006-0241423 to Anderson et al. (“Anderson”) and U.S. Patent No. 6,027,457 Shmulewitz et al. (“Shmulewitz”).

Claim 17

Claim 17 recites, among other things, “an endless loop structure configured to move along an endless loop, the endless loop structure comprising a movable upper surface over which a breast is to be placed” and “an ultrasonic probe fixed to the endless loop structure and movable along with the movable upper surface.” Neither Anderson nor Shmulewitz teaches at least these features of Claim 17.

Anderson discloses a breast ultrasound scanning device. The scanning device has a compression assembly 112 and a scanning assembly 114. A breast 302 is located therebetween. *See* Anderson at Figures 1 and 3. The scanning assembly 114 has a film 216 contacting the breast 302 and a probe assembly 218 movable relative to the film 216 and located under the film 216. *See* Anderson at Figures 3 and 7. However, Anderson fails to teach the claimed features of “an endless loop structure” and “an ultrasonic probe fixed to the endless loop structure.”

Shmulewitz discloses an ultrasound scanning system 10. The system 10 has a table 14 with a sonolucent window 18 for supporting a tissue T. An ultrasound scanner 16 located under the window 18 and mounted on the movable gentry 18. The tissue T is located on the window 18 of the table 14. *See* Shmulewitz at Figures 1 and 5. However, Shmulewitz fails to teach the claimed features of “an endless loop structure” and “an ultrasonic probe fixed to the endless loop structure.”

As such, Anderson and Shmulewitz in combination do not teach every feature of Claim 17, and therefore no *prima facie* case of obviousness has been established. In view of the foregoing, Claim 17 and its dependent claims, Claims 18-29, are patentable over the cited references.

Dependent Claims

Although Applicant has not addressed all the issues of the dependent claims, Applicant respectfully submits that Applicant does not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicant believes that each claim is patentable on its own merits. Applicant respectfully submits that the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own

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patentable features, and are therefore in condition for allowance. Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompts allowance of the claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

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CONCLUSION

In view of Applicant's amendments to the claims and the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Should the Examiner have any remaining concerns, which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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